

Appl. No. 10/524,379
Amendment and/or Response
Reply to Office action of 5 April 2007

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REMARKS/DISCUSSION OF ISSUES

Claims 1-15 are pending in the application.

The Examiner is respectfully requested to acknowledge the claim for priority and receipt of certified copies of all the priority documents, and to state whether the drawings are acceptable.

Claims 1-15 are amended for non-statutory reasons, to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in scope and no new matter is added.

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement, Applicant elects claims 1-9. The election is with traverse. Applicant respectfully requests reconsideration of the Restriction Requirement for at least the following reasons.

At the outset, M.P.E.P. § 1850(III)(A) and 37 C.F.R. § 1.475(b)(1) provide that an application will be considered to have unity of invention if the claims are drawn to a product and a process specially adapted for the manufacture of said product. M.P.E.P. § 1850(III)(A) specifically states that "*A process is specially adapted for the manufacture of a product if it inherently results in the product.*"

Here, claims 1-9 are drawn to a product, and claims 10-15 are drawn to a process specially adapted for the manufacture of said product. Claim 10 recites a process wherein means for increasing the random parametric variations, in at least a part of the first portion with respect to the random parametric variations in the second portion are applied during at least part of the execution of said step.¹ This inherently produces an integrated circuit where the random parametric variations in at least a part of the first portion of the integrated circuit are greater than the random parametric variations in the second portion, as featured in claim 1.

¹ Applicant also notes that the "*means for increasing random parametric variations*" is not technically a "feature" of claim 10, but instead a step that includes the application of such a means is a feature of method claim 10.

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Thus Applicant respectfully submits that the Restriction Requirement is improper under M.P.E.P. § 1850(III)(A) and 37 C.F.R. § 1.475(b)(1) and should be withdrawn.

Accordingly, for at least these reasons, Applicant respectfully request that the Restriction requirement be withdrawn.

CONCLUSION

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 1-15 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

If necessary, the Commissioner is hereby authorized in this reply to charge payment or credit any overpayment (except for the issue fee) to Deposit Account No. 50-0238 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17, particularly extension of time fees.

Respectfully submitted,

VOLENTINE & WHITT

Date: 5 June 2007

By: 

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